

can, regardless of his race, religion, color, or national origin, enjoys all the rights guaranteed by the Constitution and laws of the United States.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed [SEAL] this twenty-eighth day of December in the year of our Lord nineteen hundred and sixty-two, and of the Independence of the United States of America the one hundred and eighty-seventh.

JOHN F. KENNEDY

By the President:

DEAN RUSK,

Secretary of State.

Proclamation 3512

PROCLAMATION OF A TRADE AGREEMENT SUPPLEMENTARY TO THE GENERAL AGREEMENT ON TARIFFS AND TRADE CONTAINING CONCESSIONS COMPENSATORY FOR CERTAIN ESCAPE CLAUSE ACTION

By the President of the United States of America

December 28, 1962

A Proclamation

PART I—PURPOSE

PART II—IDENTIFICATION AND JUSTIFICATION

- (1) Identification of Agreement
- (2) Requisite Findings and Determinations and Applicable Procedures regarding Agreement
 - (a) Prior Findings
 - (b) Compliance with Procedural Requirements
 - (c) Determination that Certain Rate Decreases will Simplify Computation
 - (d) Determination Respecting Ad Valorem Equivalents of Certain Specific Duties
- (3) Determination that Proclamation Required or Appropriate to Carry Out Trade Agreement

PART III—PROCLAIMING PART

- (1) Carrying Out Trade Agreement
- (2) Conditions to Which Proclamation is Subject

PART I—PURPOSE

The purpose of this proclamation is to carry out a trade agreement supplementary to the General Agreement on Tariffs and Trade,¹ of October 30, 1947 (61 Stat. (pt. 5) All; which agreement is hereinafter referred to as "GATT"), consisting of an agreement signed with the United Kingdom providing concessions compensatory for certain escape clause action taken by the United States.

PART II—IDENTIFICATION AND JUSTIFICATION

(1) *Identification of Agreement.* After making the requisite findings and determinations and complying with the applicable procedures, as indicated in paragraph (2) of this part, and during the period specified in section 257(c) of the Trade Expansion Act of 1962 (P.L. 87-794, 76 Stat. 882), the President through his duly empowered representative has entered into a trade agreement supplementary to GATT consisting of the agreement of December 10, 1962, between the United States and the United Kingdom Supplementary to GATT. This supplementary agreement includes a schedule of United States concessions. Such schedule provides that the rates set forth in column A therein shall become initially effective on the day provided therefor

19 USC 1352
note.

13 UST 3910.

¹ This agreement was proclaimed by Proclamation 2761A of December 16, 1947 (61 Stat. (pt. 2) 1103), which proclamation has been supplemented by subsequent proclamations.

in the proclamation to carry out the provisions of the schedule. A copy of this agreement is annexed to this proclamation.

(2) *Requisite Findings and Determinations and Applicable Procedures Regarding Agreement.* Prior to entering into the trade agreement identified in paragraph (1) of this part:

(a) *Prior Findings.* The President found that certain existing duties or other import restrictions of the United States or of foreign countries which are contracting parties to GATT, including the United Kingdom, were unduly burdening and restricting the foreign trade of the United States, and that the purposes of section 350 of the Tariff Act of 1930, as amended (19 U.S.C. 1351), would be promoted by entering into such trade agreement.

(b) *Compliance with Procedural Requirements.* Reasonable public notice was given of the intention to conduct trade agreement negotiations under GATT with the governments of the foreign countries referred to in subparagraph (a) of this paragraph. Views presented by interested persons have been received and considered. Information and advice with respect to such negotiations has been sought from the Departments of State, Agriculture, Commerce, and Defense, and from other sources. Pursuant to section 3 of the Trade Agreements Extension Act of 1951, as amended (19 U.S.C. 1360), the President transmitted to the United States Tariff Commission for investigation and report lists of all articles imported into the United States to be considered for possible modification of duties and other import restrictions, imposition of additional import restrictions, or continuance of existing customs or excise treatment in trade-agreement negotiations with the governments of the foreign countries referred to in subparagraph (a) of this paragraph. The Tariff Commission made the investigations and reports of its determinations pursuant to section 3 within the time specified therein.

(c) *Determination that Certain Rate Decreases Will Simplify Computation.* The President has made the determination provided for in section 350(a)(3)(D) of the Tariff Act of 1930 that certain modifications of existing duties hereinafter proclaimed in part III of this proclamation, which reflect decreases in rates of duty exceeding the decreases specified in section 350(a)(4)(A) or (B), will simplify the computation of the amount of duty imposed with respect to the articles concerned.

(d) *Determination Rejecting Ad Valorem Equivalent of Certain Specific Rates.* The President has made the determination respecting the ad valorem equivalent of the specific rate of duty (or combination of rates including a specific rate), and respecting the representative period, under the authority of section 350(a)(3)(D) and (4)(A) of the Tariff Act of 1930, as amended, by reference to section 350(a)(2)(D)(ii) of that act, in the case of each modification of an existing duty proclaimed in this proclamation for which such a determination was relevant, using, to the maximum extent practicable, the standards of valuation contained in section 402 or 402a of the Tariff Act, as amended (19 U.S.C. 1401a or 1402).

(3) *Determination that Proclamation Required or Appropriate to Carry out Trade Agreement.* I determine that the modifications of existing duties and other import restrictions of the United States, the additional import restrictions, and the continuance of existing customs and excise treatment of articles imported into the United States proclaimed in part III of this proclamation will be required or appropriate to carry out the trade agreement identified in paragraph (1) of this part.

65 Stat. 72;
72 Stat. 675.

19 USC 1351.

PART III—PROCLAIMING PART

NOW, THEREFORE, I, JOHN F. KENNEDY, under the authority vested in me, as President, by the Constitution and statutes, particularly section 350 of the Tariff Act of 1930, do proclaim that:

19 USC 1351.

(1) *Carrying Out Trade Agreement.* Subject to the provisions of paragraph (2) of this part, there are hereby made effective the modifications of existing duties and other import restrictions of the United States, the additional import restrictions, and the continuance of existing customs or excise treatment of articles imported into the United States specified or provided for in the general provisions of, and schedules of United States concessions annexed to, the agreement identified in part II(1) of this proclamation, as follows:

(a) Each rate of duty or import tax specified in column A at the right of the respective description of products in the schedule of United States concessions: as to articles entered, or withdrawn from warehouse, for consumption on and after January 1, 1963.

(b) Each rate of duty or import tax specified in column B at the right of the respective description of products in the schedule of the United States concessions to such agreement: as to articles entered, or withdrawn from warehouse, for consumption on and after the appropriate date determined in accordance with the provisions of the General Notes at the end of that schedule.

(c) The provisions of the agreement to which this paragraph relates other than the rates to which subparagraphs (a) and (b) of this paragraph relate: on and after the date provided for in subparagraph (a) of this paragraph with respect to certain rates in the schedule of United States concessions annexed to that agreement.

(2) *Condition to which Proclamation is Subject.* The provisions of paragraph (1) of this part are subject to the following:

(a) The applicable terms, conditions, and qualifications set forth in the agreement to which paragraph (1) of this part relates, in parts I, II, and III of GATT, in annexes D, H, and I and schedules XX to GATT, and in the Protocol of Provisional Application of GATT (61 Stat. (pt. 6) 2051), of October 30, 1947.

61 Stat. A12,
A18, A66, A80,
A84, A85. A1157.

(b) The exception that no rate of duty or import tax shall be applied to a particular article by virtue of this proclamation if, when the article is entered, or withdrawn from warehouse, for consumption, more favorable customs treatment is prescribed for the article by (i) a proclamation pursuant to section 350 of the Tariff Act of 1930 or to section 201 of the Trade Expansion Act of 1962 (P.L. 87-794, 76 Stat. 872), or (ii) any other proclamation, a statute, or an executive order, which proclamation, statute, or order either provides for an exemption from duty or import tax or became effective subsequent to the date of this proclamation.

19 USC 1351.

19 USC 1821.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this 28th day of December in the year of our Lord nineteen hundred and sixty-two, and
[SEAL] of the Independence of the United States of America the one hundred and eighty-seventh.

JOHN F. KENNEDY

By the President:

DEAN RUSK,
Secretary of State.